I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents

P.O. Box 1450

Alexandria **N**A 22313-1450

on October 31, 2005

TOWNSEND and TOWNSEND and CREWLER

Due Way and Course of and Rewi

O 1 P E 78 8 NOV 0 3 2005 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Chee et al.

Application No.: 08/856,376

Filed: May 14, 1997

For: POLYMORPHISMS IN HUMAN

MITOCHODRIAL DNA

Examiner: Ardin Marschel

Art Unit: 1631

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37

Attorney Docket No.: 018547-025010U

Client Reference No.: 3028.1

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference

Mark Chee et al.

Application No.: 08/856,376

Page 2

should be made that the information and references cited are prior art merely because they are in

this statement.

This IDS is being filed before the mailing date of the final Office Action or

Notice of Allowance. Please charge the IDS fee of \$180 to Deposit Account No. 20-1430.

Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit

Account.

Respectfully submitted,

<u>PATENT</u>

Joe Liebeschuetz Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

JOL:crf

60624581 v1

NOV 0 3 2005

te for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known					
Application Number	08/856,376				
Filing Date	May 14, 1997				
First Named Inventor	Chee, Mark				
Art Unit	1631				
Examiner Name	Ardin Marschel				
Attorney Docket Number	018547-025010US				

·	U.S. PATENT DOCUMENTS+							
Document Number								
Examiner Initials*	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		· · · · · · · · · · · · · · · · · · ·						
					·			
		<u> </u>						

	FOREIGN PATENT DOCUMENTS							
Fuenine	Cit-	For	eign Patent Doo	ument		Name of Patentee or	Pages, Columns, Lines,	
Examiner Initials*	Cite No. ¹	Country Code ³	Number ⁴	Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶
						,		

Examiner Signature	Date Considered	,

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).

Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

Applicant is to place a check mark here if English language Translation is attached.

60624581 v1

Substitute for form 1449B/PTO		Complete if Known				
INFORMATION DISCLOSURE					Application Number	08/856,376
INFORMATION DISCLOSURE				Filing Date	May 14, 1997	
SIAI	STATEMENT BY APPLICANT			JANI	First Named Inventor	Chee, Mark
					Art Unit	1631
(use as many sheets as necessary)		Examiner Name	Ardin Marschel			
Sheet	2	of		2	Attorney Docket Number	018547-025010US

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
	AA	GRAVEN et al., "Evolutionary Correlation between Control Region Sequence and Restriction Polymorphismns in the Mitochondrial Genome of a Large Senegalese Mandenka Sample," <u>Mol. Biol. Evol.</u> , 12(2):334-345 (1995).					
	AB	LIPSHUTZ et al., "Using Oligonucleotide Probe Arrays To Access Genetic Diversity," <u>BioTechniques</u> , 19(3):442-447 (1995).					
-	AC	PETROS et al., "mtDNA mutations increase tumorigenicity in prostate cancer," PNAS, 102(3):719-824 (2005).					
		·					
-							
	·						

Examiner	Date	
Signature	Considered	,

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.